

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Leisa Biggers, Clerk/Administrator, by Shandra Santana, Deputy Clerk.

F046565 People v. Sherman

Parties stipulate that (1) Dibiaso, J., the absent assigned justice, participate in the determination of this appeal, and (2) Dibiaso, J. to listen to the tape recording of oral proceedings upon his/her return.

Cause called and argued by Lorilee Gates, Esq., counsel for appellant. Jon McLean, Deputy Attorney General, counsel for respondent waived oral argument

Submission deferred until Thursday, September 22, 2005 for Dibiaso, J. to listen to the tape recording of oral argument.

At this point Ardaiz, P.J. directs Harris, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replace by Harris, J.

F043303 People v. Muhammad et al.

Parties stipulate that (1) Dibiaso, J., the absent assigned justice, participate in the determination of this appeal, and (2) Dibiaso, J. to listen to the tape recording of oral proceedings upon his/her return.

Cause called and argued by Mark Hart, Esq., counsel for appellant Raheem Muhammad. Cara DeVito, Esq., counsel for appellant Odell Muhammad waived oral argument. Jeffery Firestone, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Submission deferred until Thursday, September 22, 2005 for Dibiaso, J. to listen to the tape recording of oral argument.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F043771 S&W Seed Co. et al., v. IGF Ins. Co. et al.

F044251 S&W Seed Co. et al., v. IGF Ins. Co. et al.

Parties stipulate that (1) Dibiaso, J., the absent assigned justice, participate in the determination of this appeal, and (2) Dibiaso, J. to listen to the tape recording of oral proceedings upon his/her return.

Cause called and argued by James Wilkins, Esq., counsel for appellants S & W Seed Company et al. and by Linda Sinclair, Esq., counsel for respondent MSI and by Mary Ann Bluhm, Esq., counsel for respondent IGF.

Submission deferred until Thursday, September 29, 2005 for Dibiaso, J. to listen to the tape recording of oral argument.

Court recessed until Friday, September 16, 2005 at 10:00 A.M.

F047989 People v. Nunez

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F046663 People v. Salazar

The superior court is directed to correct the October 27, 2004, sentencing hearing minute order to reflect that the trial court struck the section 667.5, subdivision (b) enhancements imposed on counts 1 and 2. The trial court is further directed to prepare an amended abstract of judgment reflecting said modification and to forward a certified copy of the same to the appropriate authorities. In all other respects, the judgment is affirmed. Dawson, J.

We concur: Harris, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046639 In re Stephen M., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F048470 Donald G. v. The Superior Court of Madera County; Madera County
Department of Public Welfare**

The above-entitled case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F046280 **People v. Tapia-Fierro**

The judgment is affirmed. Dibiaso, Acting P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]